

V. EVALUATION and ASSESSMENT (34 CFR 303.322) AND NONDISCRIMINATION PROCEDURES

The State of Missouri ensures that the statewide system of early intervention described in this application includes the performance of a timely, comprehensive, multidisciplinary evaluation of each child, birth through age two, referred for evaluation and a family-directed identification of the needs of each child's family to appropriately assist in the development of the child. The DESE is responsible for ensuring that all affected public agencies and service providers in the State implement the requirements of this section.

Timelines for Public Agencies to Act on Referrals

1. Once the public agency receives a referral, it shall appoint an intake coordinator as soon as possible.
2. Within 45 days after it receives a referral, a public agency shall:
 - a. provide the parent with a Prior Written Notice of intent to conduct an evaluation,
 - b. obtain informed, written parental consent to proceed,
 - c. facilitate the collection and review of existing documentation to complete the evaluation for eligibility in accordance with 34 CFR 303.322; and,
 - d. schedule and facilitate an initial IFSP meeting, in accordance with 34 CFR 303.342.

If circumstances prevent this timeline from being met, the public agency will follow procedures as outlined herein.

Definitions

The following definitions apply to evaluation and assessment activities:

1. A child's evaluation means the procedures used by appropriate, qualified personnel to determine a child's initial and continuing eligibility under this part, consistent with the definition of infants and toddlers with disabilities in 34 CFR 303.16, including determining the status of the child in each of the developmental areas.
2. Assessment means the ongoing procedures used by appropriate, qualified personnel throughout the period of a child's eligibility under this part to identify:
 - a. the child's unique strengths and needs and the services appropriate to meet those needs;
 - b. the resources, priorities, and concerns of the family and identification of supports and services necessary to enhance the family's capacity to meet the developmental needs of their child with a disability; and,
 - c. the nature and extent of early intervention services that are needed by the child and the child's family to meet the needs of the child (34 CFR 303.322).

Child Assessment

After informed, written parental consent is obtained, the multidisciplinary evaluation or assessment may begin.

The multidisciplinary evaluation and assessment for each child must:

1. be conducted by personnel trained and qualified to utilize appropriate methods and procedures, and
2. be based on informed clinical opinion.

The multidisciplinary evaluation of each child for eligibility determination purposes must include the following:

1. a review of current health records and medical history;
2. an evaluation of the child's level of functioning in each of the following areas:
 - a) cognitive development,
 - b) physical development, including vision and hearing,
 - c) communication development,

- d) social/emotional development, and
- e) adaptive development;
- 3. an assessment of the unique needs of the child in terms of each developmental area; and,
- 4. the identification of services appropriate to meet those needs (34 CFR 303.322).

Multidisciplinary means the involvement of two or more different disciplines or professions.

Family Assessment

If the family agrees, information regarding the family's resources, priorities, and concerns must be gathered through a family assessment.

Family assessments must be family-directed and designed to determine the resources, priorities, and concerns of the family and identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of the child. Any assessment that is conducted must be voluntary on the part of the family and their consent documented in the child's early intervention record; and, if an assessment of the family is carried out, the assessment must:

- 1. be conducted by the Intake Service Coordinator who are trained and qualified to utilize appropriate methods and procedures;
- 2. be based on information provided by the family through a personal interview; and,
- 3. incorporate the family's description of its resources, priorities, and concerns related to enhancing the child's development (34 CFR 303.322 (a)).

Timelines

The evaluation for eligibility and the initial assessment of each child (including the family assessment) determined to be eligible for Part C services (and initial IFSP meeting) must be completed within 45 calendar days of referral. In the event of exceptional circumstances that make it impossible to complete the evaluation and assessment within 45 days (e.g. if a child is ill or there is some other family-initiated situation that causes a delay, etc.), public agencies will document those circumstances and develop and implement an interim IFSP, to the extent appropriate and consistent with Section 303.345.

MULTIDISCIPLINARY EVALUATION REQUIREMENTS BY ELIGIBILITY

Eligibility Statement

The eligibility statement must be documented and address the following:

- 1. a diagnosed medical condition or
- 2. the area(s) in which the child was found to be delayed and the degree of delay.

If the child is not eligible, a Notice of Action for Ineligibility and a Parental Rights Brochure must be provided to the parents.

NONDISCRIMINATORY PROCEDURES (34 CFR 303.323)

The State of Missouri assures that all agencies responsible for evaluation and assessment activities shall implement the following nondiscriminatory procedures:

- 1. tests and other evaluation materials and procedures must be administered in the native language of the parents or other mode of communication, unless clearly not feasible to do so;
- 2. any assessment/evaluation procedures and/or materials must be selected and administered so as not to be racially or culturally discriminatory;
- 3. no single procedure is used as the sole criterion for determining a child's eligibility; and,
- 4. all evaluations and assessments must be conducted by qualified personnel (34 CFR 303.323).